

**FINAL MINUTES OF THE PUBLIC BOARD MEETING
OF THE ARIZONA BOARD OF OSTEOPATHIC
EXAMINERS IN MEDICINE AND SURGERY**

January 21, 2006

BOARD MEMBERS PRESENT: Board President Martin Reiss D.O.; Vice-President Stanley Grossman; Murray Cohen, D.O.; David Steinway, D.O.; F. P. Wedel, D.O.; Arlene England, D.O.; Andrew Becke

BOARD MEMBERS ABSENT: None

STAFF / OTHERS PRESENT: Barbara Meyers, Deputy Director
Blair C. Driggs, Assistant Attorney General
Barbara Prah-Wix, D.O., Medical Consultant
Anita Shepherd, Business/License Manager
Beverly Alfson, Administrative Secretary
Thea Johnson, Temp. Secretary

AGENDA

1. CALL TO ORDER by President Martin Reiss, D.O. – 8:19 a.m.

2. ROLL CALL AND REVIEW OF AGENDA

Roll call by Barbara Meyers, Deputy Director. All Board Members present.

3. PRESIDENT’S REPORT AND CALL TO THE PUBLIC

Dr. Reiss welcomed the student s present.

4. REVIEW, CONSIDERATION AND APPROVAL OF MINUTES

A. December 10, 2005 Regular Session

MOTION: Dr. Steinway moved to accept the minutes. Mr. Grossman seconded the motion.

VOTE: The motion passed unanimously.

B. December 10, 2005 Executive Session

MOTION: Dr. Steinway moved to accept the minutes. Mr. Grossman seconded the motion.

VOTE: The motion passed unanimously.

5. REVIEW, CONSIDERATION AND POSSIBLE ACTION ON REQUESTS AND MOTIONS TO REVIEW A DECISION PURSUANT TO A.A.C. R4-22-106.

A. POSTPONED

Dr. Cherish present with attorney, Steve Meyers. Mr. Meyers presented the Board with a statement regarding the previous Censure given to Dr. Cherish and requested for the Censure to be reversed and replaced by a Letter of Concern.

MOTION: Mr. Becke moved to go into Executive Session at 8:27AM. Dr. Steinway seconded the motion.

The Board returned to regular session at 8:44a.

SECOND MOTION: Dr. Cohen moved to REHEAR the case in its entirety at an Investigative Hearing including appropriate witnesses. Mr. Becke requested to add a professional outside review of the case. Dr. Cohen accepted the request into the motion. Dr. Steinway seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	7	x	x	x	x	x	x	x
NO	0							
ABSTAIN								
ABSENT								

ROLL CALL VOTE: Passed unanimously, 7-0.

6. **REVIEW, DISCUSSION, AND ACTION ON CASES MOVED TO FORMAL ADMINISTRATIVE HEARING, PURSUANT TO A.R.S. § 32-1855 (I).**

A. Steven J. Locnikar, D.O. Case No. 05A-3566-OST License No. 2669

Dr. Locnikar was present with attorney, Dwane Cates, Esquire. Assistant Attorney General Christina Cassetta acted as the Board's attorney. Assistant Attorney General Blair Driggs was advocating on behalf of the State of Arizona.

Mr. Driggs addressed the Board and requested the Board to accept the Findings of Fact and Conclusions of Law found by the Administrative Law Judge. He also requested the Board to accept the Recommendation that Dr. Locnikar was not compliant and should have his license revoked. Mr. Cates addressed the Board to ask on behalf of Dr. Locnikar for leniency from the revocation. Dr. Locnikar made a statement to the Board of apology for his actions and appeal for the Board not to take his license.

MOTION: Dr. Steinway made a motion to adopt the Findings of Fact as proposed and not to modify or reject the findings. Mr. Grossman seconded the motion.

VOTE: Motion passed unanimously, 7-0.

Assistant Attorney General Cassetta recommended that that the Board delete paragraphs 3,8,10 11-14 19 – 23 of the Conclusions of Law and include an immediate effective date for the Order. .

MOTION: Dr. Steinway made a motion to adopt the Conclusions of Law as proposed with the exception of paragraphs 3,8,10, 11, 12, 13, 14, 19, 20, 21, 22, and 23 for reasons stated. Mr. Becke seconded the amendment.

VOTE: Motion passed unanimously, 7-0.

MOTION: Dr. Steinway made a motion to **REVOKE** Dr. Locnikars' license based on the Findings of Fact and the Conclusion of Law. Mr. Becke seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	7	x	x	x	x	x	x	x
NO								
ABSTAIN								
ABSENT								

ROLL CALL VOTE: Motion passed unanimously, 7-0.

MOTION: Mr. Grossman made a motion for a final order without chance of appeal. Dr. Wedel seconded the motion.

VOTE: The motion passed unanimously, 7-0.

7. **REVIEW, DISCUSSION AND ACTION ON INVESTIGATIVE HEARINGS PURSUANT TO A.R.S. § 32-1855 (E) ONLY.**

A. POSTPONED

B. Hesham Sahawneh, D.O. Case No. 3300 License No. 3194

Dr. Sahawneh was present and sworn in by the court reporter. Dr. Prah provided a summary of the case. Dr. Sahawneh addressed and answered the questions of the Board.

MOTION: Dr. Steinway moved to **TABLE** the case. Dr. Wedel seconded the motion.

Mr. Becke spoke against the motion because of the time that Dr. Sahawneh had to already prepare for the case.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	6	x	x	x	x	x	x	
NO	1							x
ABSTAIN								
ABSENT								

ROLL CALL VOTE: The motion passed, 6-1.

C. Earl Kimbell III, D.O. Case No. 3371M License No. 3489

Dr. Kimbell was present and sworn in by the court reporter. A summary of the case was provided by Dr. Prah. Dr. Kimball answered all questions addressed by the Board.

MOTION: Dr. Wedel moved to issue a **LETTER OF CONCERN** for failure to do an EKG. Mr. Grossman seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	6	x	X	X	x	x	x	
NO	1							x
ABSTAIN								
ABSENT								

ROLL CALL VOTE: The motion passed 6-1.

D. Patrick Gallus, D.O. Case No. 3418 License No. 3273

Dr. Gallus present with attorney, Jay Fradkin, Esquire. Dr. Gallus was sworn in by the court reporter. Dr. Prah provided a summary of the case. Dr. Gallus addressed and answered questions f the Board.

MOTION: Dr. Wedel moved to **DISMISS** the case. Mr. Becke seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	7	x	X	x	x	x	x	x
NO	0							
ABSTAIN								
ABSENT								

ROLL CALL VOTE: The motion passed unanimously.

E. Steven Chintis, D.O. Case No. 3165 License No. 2583

Dr. Chintis was present and sworn in by the court reporter. A summary of the case was provided by Dr. Prah. Dr. Chintis addressed and answered all questions of the Board. The complainant, R.V., was present and sworn in by the court reporter. The complainant addressed and answered all the questions of the Board.

MOTION: Dr. Wedel moved to **DISMISS** the case. Dr. Reiss seconded the motion for discussion purposes.

Mr. Becke voiced his concerns of dismissing this matter.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	5	x	X	x	x		x	
NO	2					x		x
ABSTAIN								
ABSENT								

ROLL CALL VOTE: The motion to passed 5-2.

F. Donald Cunningham, D.O. Case No. 3479 License No. 0732

Dr. Cunningham was present with attorney, Jim Goodwin, and sworn in by the court reporter. A summary of the case was provided by Dr. Prah. Dr. Cunningham addressed and answered all the questions of the Board.

MOTION: Dr. Steinway moved to **DISMISS** the Case. Mr. Becke seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	7	x	x	x	X	x	x	x
NO								
ABSTAIN								
ABSENT								

ROLL CALL VOTE: The motion passed 7-0.

G. POSTPONED

H. POSTPONED

I. Thomas Hemmer, D.O. Case No. 3195M License No. 1736

Dr. England recused herself from this matter. Dr. Hemmer was present with attorney, Robert Fineberg, Esquire. A summary of the case was provided by Dr. Prah. Dr. Hemmer addressed and answered all the questions of the Board. Dr. England was sworn in by the court reporter and answered the questions of the Board. (She was the consultant in this case prior to board appointment)

MOTION: Dr. Steinway made a motion for a LETTER OF CONCERN due to A.R.S. § 1854, failure to recognize the distress the patient was in and take action sooner. Mr. Grossman seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	6	x	x		x	x	x	x
NO								
ABSTAIN	0			x				
ABSENT								

ROLL CALL VOTE: The motion passed 6-0.

J. Lynn Sweet, D.O. Case No. 3247 License No. 3246

Dr. Sweet was present and sworn in by the court reporter. A summary of the case was provided by Dr. Prah. Dr. Sweet addressed and answered the questions of the Board.

MOTION: Mr. Becke moved for **DISMISSAL** of the case. Dr. Cohen seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	7	x	x	x	x	x	x	x
NO								
ABSTAIN								
ABSENT								

ROLL CALL VOTE: The motion passed 7-0.

K. POSTPONED

Dr. Willden was present with attorney, Scott Hergenroether, Esquire. Dr. Willden was sworn in by the court reporter. A summary was provided by Dr. Prah. Dr. Willden addressed and answered the questions of the Board.

MOTION: Dr. Wedel made a motion for a **LETTER OF CONCERN** for failure to recognize cardiac injury as evidenced by the lab data and failure to perform an EKG. Mr. Becke seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	7	x	x	x	x	x	x	x
NO	0							
ABSTAIN	0							
ABSENT	0							

ROLL CALL VOTE: The motion passed 7-0.

Dr. Keum was present and sworn in by the court reporter. Dr. Reiss gave a summary of the case. Dr. Keum addressed and answered the questions of the Board.

MOTION: Mr. Becke moved to **DISMISS** the case. Dr. Reiss seconded for discussion purposes. Dr. Wedel voiced concerns that the facts in this matter might reflect the need for a Letter of Concern.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	3	x		x				x
NO	4		X		x	x	x	
ABSTAIN	0							
ABSENT	0							

ROLL CALL VOTE: Motion fails 3-4.

SECOND MOTION: Dr. Wedel made a motion for a **Letter of Concern** for questionable management, diagnosis, and treatment. Mr. Grossman seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	6	x	x	x	x	x	X	
NO	1							x
ABSTAIN								
ABSENT								

ROLL CALL VOTE: Motion passes 6-1.

N. Randolph Scott, D.O. Case No. 3410 License No. 2108

Dr. Scott was present and sworn in by the court reporter. Dr. Prah provided a summary of the case. Dr. Scott addressed and answered the questions of the Board.

MOTION: Dr. Wedel made a motion to DISMISS the case. Mr. Becke seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	1						x	
NO	6	x	x	x	x	x		x
ABSTAIN								
ABSENT								

ROLL CALL VOTE: The motion 1-6.

SECOND MOTION: Dr. Steinway made a motion to **Table** the case and send a representative to Dr. Scott's office to review 20 charts at random to assess his record keeping and standard of care. Dr. England seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	7	x	x	x	x	x	x	x
NO								
ABSTAIN								
ABSENT								

ROLL CALL VOTE: The motion passed 7-0.

O. POSTPONED

P. David Beal, D.O.

Case No. 3523

License No. 1638

Dr. Beal was present and sworn in by the court reporter. Dr. Prah provided a summary of the case. Dr. Beal addressed and answered the questions of the Board.

MOTION: Dr. England voted to go into Executive Session at 2:52pm. Dr. Steinway seconded the motion.

VOTE: Passed 7-0.

The Board proceeded with regular session at 3:05pm.

MOTION: Dr. England moved to issue a **Decree of Censure** for failure to provide the adequate standard of care in that Dr. Beal failed to recognize the deviation of labor and the inappropriate use of the second modality for an operative delivery. Dr. Steinway seconded the motion for discussion purposes.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	5	x		x	x	x		x
NO	2		x				x	
ABSTAIN								
ABSENT								

ROLL CALL VOTE: The motion passed, 5-2.

Q POSTPONED

8. REVIEW, CONSIDERATION AND ACTION ON COMPLIANCE WITH TERMS OF BOARD ORDERS AND REQUESTS TO MODIFY OR TERMINATE ORDERS, PURSUANT TO A.R.S. 32-1855 (E) AND (I):

A. Alok Sinha, D.O.

Case No. 3552

License No. 3347

Dr. Sinha was present. Mr. Driggs summarized for the Board. Dr. Sinha was sworn in by the court reporter and answered questions asked by the Board.

MOTION: Dr. Wedel made a motion to put into place the recommendations of the discharge summary as per the 5 year probation as the agreement was. Mr. Grossman seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	7	x	x	x	x	x	x	x
NO								
ABSTAIN								
ABSENT								

ROLL CALL VOTE: The motion passed, 7-0.

9. REVIEW, DISCUSSION, AND ACTION ON CASE REVIEW AND POSSIBLE CONSIDERATION OF SUMMARY SUSPENSION, PURSUANT TO A.R.S. § 32-1855 (C through F) AND §41-1064(C).

A. Jeffrey Izenberg, D.O. Case No. 3316M License No. 2942

Based on the review and recommendation of three reviewers:

MOTION: Dr. Steinway moved to **DISMISS** the case. Mr. Grossman seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	7	x	x	x	x	x	x	x
NO								
ABSTAIN								
ABSENT								

ROLL CALL VOTE: Motion passed, 7-0.

B. Linda Davis, D.O. Case No. 3615 License No. 2222

Dr. Davis was present with attorney, Marc Victor. Mr. Victor addressed the Board. Ms. Meyers gave a summary of the case. Dr. Davis was sworn in by the court reporter and answered questions asked by the Board. Dr. Carlos Jones, Dr. Davis' psychologist, was present and sworn in by the court reporter. The Board asked questions of Dr. Jones.

MOTION: Dr. Reiss moved to go into Executive Session at 4:16p. Mr. Grossman seconded the motion.

VOTE: Motion passed 7-0.

The Board returned to regular session at 4:22p

MOTION: Mr. Becke made a motion of Summary Suspension as Dr. Davis presents herself as an imminent danger to the public due to the following: 1. Dr. Davis violated an order with the board, 2. The underlying complaint of impairment and practicing while impaired, and 3. Based on the report of sufficient amount of impairment that dr. Davis is not fit to practice medicine at this time. Dr. Steinway seconded the motion.

A clarification was made by Mr. Becke to have the hearing set before a Formal Administrative Judge. Mr. Steinway agreed to the amendment.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	7	x	x	x	x	x	x	x
NO								
ABSTAIN								
ABSENT								

ROLL CALL VOTE: The motion passes 7-0.

Dr. Davis' case was re-visited later in the meeting. Mr. Victor stated to the Board that Dr. Davis would like to voluntarily surrender her license to practice medicine in the state of Arizona. The Board discussed the request of Dr. Davis.

MOTION: Dr. Wedel made a motion to deny the request. Dr. Steinway seconded the motion.

Before the vote, Dr. Davis addressed the Board stating she does not want a suspension on her license.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	3		x			x	x	
NO	4	x		x	x			x
ABSTAIN								
ABSENT								

ROLL CALL VOTE: Motion failed 3-4.

MOTION: Mr. Becke voted to accept Dr. Davis' request to **voluntarily surrender** her license without cause. Dr. Cohen seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	5	x	x	x	x			x
NO	2					x	x	
ABSTAIN								
ABSENT								

ROLL CALL VOTE: Motion passes 5-2.

C. Kimberly Diana-Brooks, D.O. Case No. 3518M License No. 3355

Based on the review and recommendation of three reviewers:

MOTION: Dr. Reiss moved to **DISMISS** the case. Mr. Grossman seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	7	x	x	x	x	x	x	x
NO								
ABSTAIN								
ABSENT								

ROLL CALL VOTE: Motion passed, 7-0.

D. Marvin Borsand, D.O. Case No. 3392 License No. 2261

Based on the review and recommendation of three reviewers:

MOTION: Mr. Becke moved to **DISMISS** the case. Dr. England seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	7	x	x	x	x	x	x	x
NO								
ABSTAIN								
ABSENT								

ROLL CALL VOTE: Motion passed 7-0.

E. Phillip Bain, D.O. Case No. 3478M License No. 2302

Based on the review and recommendation of three reviewers:

MOTION: Dr. Steinway moved to **DISMISS** the case. Mr. Grossman seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	7	x	x	x	x	x	x	x
NO	0							
ABSTAIN	0							
ABSENT	0							

ROLL CALL VOTE: Motion passed 7-0.

F. Bruce Sand, D.O. Case No. 3612 License No. 1841

Based on the review and recommendation of three reviewers:

MOTION: Dr. Steinway moved to **DISMISS** the case. Dr. Cohen seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	7	x	x	x	x	x	x	x
NO	0							
ABSTAIN	0							
ABSENT	0							

ROLL CALL VOTE: Motion passed, 7-0.

G. Allen Corbett, Jr., D.O. Case No. 3340 License No. 1372

Based on the review and recommendation of three reviewers:

MOTION: Mr. Becke moved to **DISMISS** the case. Mr. Grossman seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	7	x	x	x	x	x	x	x
NO								
ABSTAIN								

ABSENT								
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ROLL CALL VOTE: Motion passed, 7-0.

H. Tolbert B. Struse III, D.O. Case No. 3591M License No. 0873

Based on the review and recommendation of three reviewers:

MOTION: Dr. Steinway moved to **DISMISS** the case. Mr. Becke seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	7	x	x	x	x	x	x	x
NO								
ABSTAIN								
ABSENT								

ROLL CALL VOTE: The motion passed 7-0.

I. Mark Griswold, D.O. Case No. 3413 License No. 2799

Based on the review and recommendation of three reviewers:

MOTION: Mr. Becke moved to **DISMISS** the case. Dr. Cohen seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	7	x	x	x	x	x	x	x
NO								
ABSTAIN								
ABSENT								

ROLL CALL VOTE: The motion passed, 7-0.

J. Mark Brenner, D.O. Case No. 3470 License No. 2207

Based on the review and recommendation of three reviewers:

MOTION: Dr. Steinway moved to **DISMISS** the case. Mr. Grossman seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	7	x	x	x	x	x	x	x
NO								
ABSTAIN								
ABSENT								

ROLL CALL VOTE: Motion to Dismiss passed unanimously.

K. Jeffrey Willden, D.O. Case No. 3553M License No. 3458

Based on the review and recommendation of three reviewers:

MOTION: Dr. Steinway moved to **DISMISS** the case. Mr. Becke seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	7	x	x	x	x	x	x	x
NO								
ABSTAIN								
ABSENT								

ROLL CALL VOTE: The motion passed, 7-0.

L. Donald Kane, D.O. Case No. 3506 License No. 3323

Based on the review and recommendation of three reviewers:

MOTION: Dr. Steinway moved to **DISMISS** the case. Mr. Grossman seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	7	x	x	x	x	x	x	x
NO								
ABSTAIN								
ABSENT								

ROLL CALL VOTE: The motion passed, 7-0.

Based on the review and recommendation of three reviewers:

MOTION: Mr. Becke voted to **TABLE** the case. Dr. Cohen seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	7	x	x	x	x	x	x	x
NO								
ABSTAIN								
ABSENT								

ROLL CALL VOTE: The motion passed, 7-0.

Based on the review and recommendation of three reviewers:

MOTION: Dr. Steinway moved to hold an **INVESTIGATIVE HEARING**. Mr. Becke seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	7	x	x	x	x	x	x	x
NO								
ABSTAIN								
ABSENT								

ROLL CALL VOTE: The motion passed, 7-0.

Based on the review and recommendation of three reviewers:

MOTION: Dr. Steinway moved to hold an **INVESTIGATIVE HEARING** on the case. Mr. Grossman seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	7	x	x	x	x	x	x	x
NO								
ABSTAIN								
ABSENT								

ROLL CALL VOTE: Motion for Investigative Hearing passed unanimously.

P. Charles Schwengel, D.O. Case No. 3169 License No. 3019

Based on the review and recommendation of three reviewers:

MOTION: Dr. Steinway moved to **TABLE** this matter. Mr. Grossman seconded the motion.

ROLL CALL VOTE: Motion passed unanimously.

Q. Patrick Marsh, D.O. Case No. 3657 License No. 2502

Dr. Marsh was present. Ms. Meyers provided a summary of the case. Dr. Marsh was sworn in by the court reporter and answered the questions asked by the Board.

MOTION: Mr. Becke moved to accept the standard consent agreement for monitored aftercare. Dr. Steinway seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	7	X	X	X	X	X	X	X
NO	0							
ABSTAIN	0							
ABSENT	0							

ROLL CALL VOTE: Motion passed, 7-0.

The board directed staff to open a complaint against Christopher Marsh, D.O. for prescribing a controlled substance to a family member.

10. REVIEW, CONSIDERATION, AND ACTION ON APPLICATIONS FOR LICENSURE PURSUANT TO A.R.S. §32-1822; PERMITS PURSUANT TO § A.R.S. 32-1829; AND RENEWALS OF LICENSES PURSUANT TO A.R.S. §32-1825 (C-D) AND A.A.C. R4-22-109.

A. Sheldon A. Levine, D.O.

Dr. Levine was not present. This matter was tabled.

B. Debra Cooper, D.O.

Dr. Cooper was present and answered all questions asked by the Board.

MOTION: Mr. Becke moved to **Grant License**. Dr. Cohen seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	7	x	x	x	x	x	x	x
NO	0							
ABSTAIN	0							
ABSENT	0							

ROLL CALL VOTE: Motion passed, 7-0.

11. **REVIEW, DISCUSSION, AND ACTION ON CASE REVIEWS OF ALLEGATIONS OF UNPROFESSIONAL CONDUCT A.R.S. § 32-1855 (C through F).**

A. POSTPONED

B. Paul Balikian, D.O. Case No. 3623 License No. 0755

Based on the review and recommendation of three reviewers:

MOTION: Mr. Grossman moved to **DISMISS** the case. Dr. England seconded the motion.

	Vote	Dr. Reiss	Mr. Grossman	Dr. England	Dr. Cohen	Dr. Steinway	Dr. Wedel	Mr. Becke
YES	7	x	x	x	x	x	x	x
NO								
ABSTAIN								
ABSENT								

ROLL CALL VOTE: Motion passed, 7-0.

12. **ANNUAL BUSINESS:**

A. **ELECTION OF OFFICERS PURSUANT TO A.R.S. § 32-1802(B):**

1. President – Table till April for final appointments
2. Vice-President – Table till April for final appointments

B. DISCUSSION AND ACTION ON ESTABLISHMENT OF FEES PURSUANT TO A.R.S. § 32-1826(A)

1. Application for licensure
2. Issuance of a license
3. Renewal of a License (biennial)
4. Locum Tenens Registration
5. Issuance of a Duplicate License
6. Annual Registration of an Approved Internship, Residency, Clinical Fellowship or Short-Term Residency Program
7. Teaching License
8. Five Day Educational Teaching Permit
9. Sale of (Paper) Directory
10. Sale of Mailing List or Directory on Computer Disks
11. Registration to Dispense Drugs and Devices

MOTION: Dr. Cohen moves to increase Application and Renewal fees by 6%. Seconded by Dr. Reiss.

VOTE: Motion passed 6-0.

14. EXECUTIVE DIRECTOR REPORT:

- A. Board Member Reimbursement
- B. Correspondence to the Board

1. Craig Mechelke, D.O., Case#3367C

The Board took not action on this matter.

15. ADJOURNMENT

The Board adjourned the meeting at 6:40pm.